



November 6, 2020

VIA ELECTRONIC FILING

Hon. Sarah L. Cave
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, New York, NY 10007-1312

The Motion to seal the letter filed at ECF No. 47 as available only to the parties in this action is GRANTED.

The Clerk of Court is respectfully directed to close the Motion at ECF No.46.

SO ORDERED 11/9/2020


SARAH L. CAVE
United States Magistrate Judge

Re: sealing of letter concerning bond co-signers in *Jordan v. Lamanna*, Case No. 1:18-cv-10868

Dear Magistrate Judge Cave:

I write, pursuant to Rule 1(A), Rule 1(G)(2) of the Court's Individual Practices, and the Court's Standing Order, 19-mc-583. At the November 2, 2020, oral argument on the State's motion to stay the judgment and petitioner's cross-motion for release pending appeal, the Court asked petitioner to identify individuals willing to co-sign a release bond.

I respectfully request that the Court permit petitioner to file her letter identifying potential co-signers under seal. In making this request, I appreciate that the public generally has a right to access judicial records, but a party may overcome that presumption by demonstrating competing considerations, including "privacy interests." *Lugosch v. Pyramid Co. of Onondaga*, 435 F.3d 110, 120 (2d Cir. 2006). Here, personal privacy interests weigh in favor of sealing the letter.

Although the attached letter does not include the kind of information subject automatically to sealing under Federal Civil Rule 5.2, it does include identifying information such as names, cities of residence, and occupations. It is my understanding the documents relating to bond co-signers are ordinarily not made public. Particularly in light of the media attention paid to this case, we submit that application of that general rule is called for here, warranting a court order sealing the attached letter.

I have conferred with counsel for the District Attorney, who does not oppose the relief requested.

We appreciate the Court's consideration.

Sincerely,



Michael B. Kimberly